

In re:
The Litigation Practice Group P.C.
Debtor

Case No. 23-10571-SC
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0973-8
Date Rcvd: Jun 22, 2023

User: admin
Form ID: pdf042

Page 1 of 3
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 24, 2023:

Recip ID	Recipient Name and Address
db	+ The Litigation Practice Group P.C., 17542 17th St, Suite 100, Tustin, CA 92780-1981

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 24, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 22, 2023 at the address(es) listed below:

Name	Email Address
Alan Craig Hochheiser	on behalf of Creditor City Capital NY ahochheiser@mauricewutscher.com arodriguez@mauricewutscher.com
Alan I Nahmias	on behalf of Interested Party Courtesy NEF anahmias@mbn.law jdale@mbnlawyers.com
Andrew Still	on behalf of Interested Party Courtesy NEF astill@swlaw.com kcollins@swlaw.com
Byron Z Moldo	on behalf of Interested Party Byron Moldo bmoldo@ecjlaw.com amatsuoka@ecjlaw.com,dperez@ecjlaw.com
Christopher Celentino	on behalf of Plaintiff Richard A. Marshack christopher.celentino@dinsmore.com caron.burke@dinsmore.com
Christopher Celentino	on behalf of Trustee Richard A Marshack (TR) christopher.celentino@dinsmore.com caron.burke@dinsmore.com

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Daniel A Lev

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Olivia Scott

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Olivia Scott

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on behalf of Attorney Teri Pham tpham@enensteinlaw.com 3135.002@enensteinlaw.com

United States Trustee (SA)

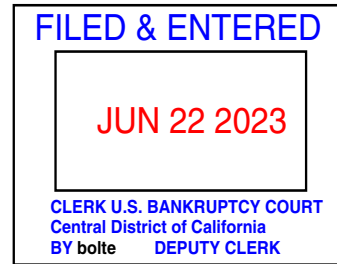
ustpregion16.sa.ecf@usdoj.gov

Victoria Newmark

on behalf of Interested Party Courtesy NEF vnewmark@pszjlaw.com

TOTAL: 48

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Proposed Special Counsel to Richard A. Marshack,
Chapter 11 Trustee

CHANGES MADE BY COURT

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re:

THE LITIGATION PRACTICE GROUP P.C.,
Debtor.

Case No. 8:23-bk-10571-SC

Chapter 11

**INTERIM ORDER GRANTING
EMERGENCY SUPERPRIORITY
FINANCING BY THE CHAPTER 11
TRUSTEE**

Date: June 20, 2023

Time: 3:00 p.m.

Judge: Hon. Scott C. Clarkson

Place: Courtroom 5C
411 West Fourth Street
Santa Ana, CA 92701

On June 20, 2023, on the 3:00 p.m. calendar, in Courtroom 5C of the United States Bankruptcy Court, located at 411 West Fourth Street, Santa Ana, California 92701, the Honorable Scott C. Clarkson, United States Bankruptcy Judge, conducted a hearing on the *Trustee's Notice of Motion and Emergency Motion (I) for Entry of Interim Order: (A) Authorizing The Trustee to Obtain*

1 *Post-Petition Financing and Superpriority Administrative Expense Claim Pursuant to 11 U.S.C. §*
2 *364; and (B) Setting Final Hearing; and Pursuant to Final Hearing, (II) for Entry of Final Order*
3 *Approving Post-Petition Financing on a Final Basis* [Docket No. 119] (the “Motion”) filed on June
4 16, 2023 by Richard A. Marshack, the Chapter 11 Trustee (the “Trustee”) for the bankruptcy estate
5 (the “Estate”) of The Litigation Practice Group, P.C. (the “Debtor”), in the above-captioned
6 bankruptcy case.

7 The Court, having considered the Motion, all pleadings filed in support of, and in opposition
8 to, the Motion, good cause appearing, and for the reasons stated on the record and in the Motion:

9 1. Grants the Motion;

10 2. Approves the terms of that certain Super-Priority Promissory Note (the “Note”) as
11 attached as **Exhibit 2** to the Trustee’s Declaration;

12 3. Authorizes the Trustee to borrow, and the Lender (as defined in the Motion) to
13 advance up to \$800,000 in the aggregate, including an initial advance in the amount of \$350,000
14 and a subsequent advance of up to \$450,000, at an interest rate of 8% per annum, with the full
15 balance, including all accrued interest, due and payable in one year from the Start Date (as defined
16 in the Note), with payments first credited to interest due and any remainder credited to principal, as
17 provided under the Note, subject to the terms of this Order;

18 4. Authorizes the Trustee to execute and deliver to the Lender the Note and all other
19 loan documents required to be executed and delivered under the Note;

20 5. Authorizes the Trustee and counsel acting on behalf of the Trustee to take any such
21 actions that may be necessary to implement the Note and borrow funds under the Note as approved
22 in this Order;

23 6. Finds that immediate financing is critical for the Debtor to continue its operations in
24 the ordinary course, and that the Note, the Trustee’s entry into the financing arrangement, and
25 related relief is necessary to avoid immediate and irreparable harm to the Debtor’s Estate, its
26 employees, and all parties in interest; and that the Note is the best source of financing available to
27 the Debtor under the circumstances and was entered into in good faith and at arm’s length;

28 7. Find that the terms of the Note and this Order are fair and reasonable and are

1 supported by reasonably equivalent value and fair consideration;

2 8. Finds that the Trustee's agreement to the terms of the Note on behalf of the Debtor
3 is a sound exercise of business judgment and should be approved as set forth herein;

4 9. Authorizes the Trustee to enter into any non-material amendment or modification to
5 the Note, including but not limited to agreeing on the amount of the subsequent advance up to
6 \$450,000, without further order of this Court, provided that any such non-material amendment or
7 modification is set forth in writing and signed by the Trustee and the Lender, and provided that the
8 Trustee provides notice of any such amendment or modification to the Court and the Office of the
9 United States Trustee;

10 10. Authorizes the Trustee to use funds advanced under the Note on the terms and
11 conditions set forth herein, provided that all such funds are used to pay payroll and other operating
12 expenses solely;

13 11. Grants the Lender an allowed superpriority administrative claim pursuant to section
14 364(c)(1) of the Bankruptcy Code, having priority in right of payment over any and all other
15 administrative expenses or priority claims;

16 12. Subrogates the Lender's claim, on account of funding payroll, to the administrative
17 expense claims otherwise held by employees that have provided post-petition services since the
18 Trustee has served the Court's TRO and taken control of operations;

19 13. Requires the approval and authorization of the Trustee for paying any and all
20 expenses; or, in the event the Trustee is unavailable, requires the approval and authorization from
21 Lori Ensley or one of the Trustee's law firm partners, Ed Hays, David Wood, or Laila Masud, for
22 paying any and all expenses;

23 14. Directs that all ordinary business expenses approved by the Trustee shall be paid for
24 by a trustee check;

25 15. Finds that the financing provided under the Note shall be deemed to have been
26 extended in good faith and for valid business purposes and uses within the meaning of section 364(e)
27 of the Bankruptcy Code;

28 16. Finds that there is no stay of this Order, including no stay pursuant to Rule 6004(h)

1 of the Federal Rules of Bankruptcy Procedure (to the extent applicable);


2 17. Sets a final hearing on the Motion for July 20, 2023 at 9:30 a.m.; and

3 18. Retains jurisdiction with the Court with respect to all matters arising from or related
4 to the implementation of this Order.

5 **IT IS SO ORDERED.**

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24 Date: June 22, 2023


Scott C. Clarkson
United States Bankruptcy Judge